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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 SAUL LARA-PEREZ,

10 Petitioner,

11 v.

12 ROBERT GATES, Secretary of Defense,

13 Respondent.

C09-841-RSM

14 **ORDER OF DISMISSAL**

15 The Court, having reviewed petitioner's Petition for Writ of Habeas Corpus, respondent's
16 Return Memorandum and Motion to Dismiss, the Report and Recommendation of the Honorable
17 Brian A. Tsuchida, United States Magistrate Judge, and any objections or responses to that, and
18 the remaining record, finds and Orders as follows:

- 19 1. The Court adopts the Report and Recommendation;
20 2. Respondent's motion to dismiss (Dkt. No. 11) is GRANTED, and this action is
21 DISMISSED with prejudice; and
22 3. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

23 DATED this 4th day of December, 2009.

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25 RICARDO S. MARTINEZ
26 UNITED STATES DISTRICT JUDGE